

PTO/SB/30 (08-00)

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/249,529
Filing Date	February 12, 1999
First Named Inventor	James D. Marks
Group Art Unit	1627
Examiner Name	P. Ponnaluri
Attorney Docket Number	407T-8950

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This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply ✓ 05/15/2002 MGE BREM1 00000010 500893 09249529
- ii. ☐ Affidavit(s)/Declaration(s) 02 FC:279 370.00 CH
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Petition for Extension of Time ✓

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees

 The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-0893
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Tom Hunter	Registration No. (Attorney/Agent)	38,498
Signature		Date	May 3, 2002

CERTIFICATE OF MAILING OR TRANSMISSION

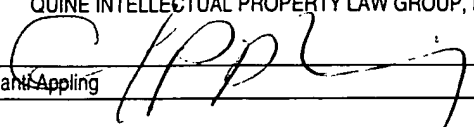
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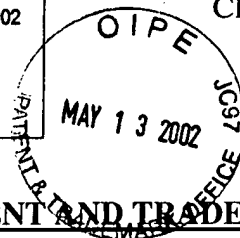
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By: 
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Atty Docket No: 407T-95010US

Client Ref: 1998-082-2



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Inventor(s): JAMES D. MARKS, MARIE ALIX POUL, and BALTAZAR BECERRIL

Application No.: **09/249,529**

Filed: **02/12/1999**

For: **METHODS OF SELECTING FOR INTERNALIZING ANTIBODIES**

Examiner: P.Ponnaluri

Art Unit: 1627

AMENDMENT

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Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Office Action dated 4 April 2001, Applicants respectfully request reconsideration of the above-identified application in view of the following amendments and remarks. A Notice of Appeal was filed on October 3, 2001. Accordingly, the following documents are enclosed herewith:

- 1) A petition to extend the period of response for **five** months;
- 2) A Request for Continued Patent Examination (RCE);

Please amend the specification and claims as follows

In the Specification.

Please delete the paragraph at page 12, line 26 through page 13, line 5 and insert the following:

--The following abbreviations are used herein: AMP, ampicillin; c-erbB-2 ECD, extracellular domain of c-erbB-2; CDR, complementarity determining region; ELISA, enzyme linked immunosorbent assay; FACS, fluorescence activated cell sorter; FR, framework region; Glu, glucose; HBS, hepes buffered saline, 10 mM hepes, 150 mM NaCl, pH 7.4; IMAC, immobilized metal affinity chromatography; k_{on} , association rate constant; k_{off} , dissociation rate constant; MPBS, skimmed milk

